

DEPARTMENT OF THE ARMY
HEADQUARTERS, US ARMY FIELD ARTILLERY CENTER AND FORT SILL
Fort Sill, Oklahoma 73503

USAFACFS Regulation
No. 690-5

14 December 1984

Civilian Personnel
HOURS OF DUTY

Further supplementation by subordinate commanders is prohibited,
unless specifically approved by Headquarters, USAFACFS.

1. PURPOSE. This regulation prescribes standards and requirements for establishing and changing the tours of duty of civilian employees. It incorporates the provisions of applicable laws and regulations of higher authority, but in no way modifies them.

2. DEFINITIONS.

a. Administrative Workweek. The period of 7 consecutive calendar days beginning at 0001 on Sunday, and ending at 2400 the following Saturday. The administrative workweek for firefighters begins and ends on the hour of the day when shifts change.

b. Tour of Duty. The hours of the day, and days within the administrative workweek (fixed in advance), during which the employee is regularly scheduled for duty.

c. Regular Tour of Duty. The regular tour of duty for this installation is 0730 to 1600 with one-half hour for lunch, or 0730 to 1630 with 1 hour for lunch, Monday through Friday.

GENERAL.

a. Authority for establishing and changing the tours of duty of civilian employees is delegated to major activity directors, subordinate commanders, and heads of special staff sections. This authority may be redelegated to lower management officials within the activity. Deviations from the installation regular tour of duty which involve an entire section of civilian employees, or a group of civilian employees within a military section, will be coordinated with the Civilian Personnel Officer and require approval of the Chief of Staff.

b. In those cases where the installation regular tour of duty would seriously handicap the performance of a function, or would result in substantially increased costs, other tours may be established. In establishing or changing the tours, the following requirements will be observed:

(1) Fort Sill Form 143 (Tour of Duty) will be prepared documenting the establishment or change of tour of duty and signed by the designated approving official. One copy will be forwarded to the Finance and Accounting Office, and a copy will be posted in a conspicuous location and will be readily accessible to affected employees.

(2) Assignments to a tour of duty will be scheduled in advance of the administrative workweek and will cover a period of not less than 1 week.

(3) The basic 40-hour workweek will be scheduled on 5 days, Monday through Friday, with the 2 days outside the basic workweek consecutive.

(4) The basic nonovertime workday may not exceed 8 hours.

(5) The occurrence of holidays may not affect the designation of the basic workweek.

(6) Breaks in working hours of more than 1 hour may not be scheduled in a basic workday.

(7) When the daily tour of duty begins on one calendar day and extends into the next calendar day the day on which the tour begins will identify the tour for that day. For example, a tour of duty beginning at 2000 Friday and ending at 0430 Saturday is identified as the Friday tour of duty.

*This regulation supersedes USAFACFS Reg 690- July 1978.

c. The requirement that supervisors schedule work in advance of the administrative workweek (Sunday through Saturday) when possible directly affects the entitlement of GS employees to night pay for overtime work. GS employees who are assigned to a different tour of duty which includes night hours (1800 to 0600) are entitled to night pay for such nonovertime work, even if it is scheduled during the administrative workweek. However, overtime work must be scheduled in advance of the administrative workweek in order to be considered "regularly scheduled" work and thus entitle the GS employee to night pay (overtime scheduled during the administrative workweek is considered "occasional or irregular" overtime, and there is no entitlement to night pay even if the work falls during night hours).

(1) When it is determined that management should have scheduled overtime in advance of the administrative workweek, i.e., management knew specifically what hours were to be worked and which employees would be required to work them, then employees are entitled to night pay for overtime work during night hours.

(2) When employees work overtime during night hours and are entitled to night pay under the above provisions, supervisors must include the following remark in the remarks section of DA Form 2172R, Request, Authorization, and Report of Overtime: "Overtime was scheduled in advance of the administrative workweek in which the work was performed."

FLEXITIME.

a. Flexitime is a concept which permits employees to participate in the selection of their working hours, within prescribed limits and with approval of supervisors and management officials designated to approve tours of duty in accordance with paragraph 3a.

b. Generally, the use of flexitime tours is applicable only to employees who are assigned to regular tours of duty, since employees assigned to irregular tours are normally assigned such tours by management to meet an operational need. Flexitime tours are at the request of, and for the convenience of, employees, and require approval by management. They should not be confused with management's right to assign employees to irregular tours to meet a recognized work need.

c. As with other tour of duty changes, supervisors must submit FS Form 143 to change an employee to a flexitime tour or return the employee to a regular tour. Employees on flexitime tours may return to a regular tour with approval of the supervisor, or supervisors may change an employee back to a regular tour if operational needs so require.

d. All laws and regulations governing such matters as working hours, leave and attendance, overtime, and labor-management relations remain in effect. The Fair Labor Standards Act provides that overtime work by a nonexempt employee, even though not ordered by management, must be compensated for at overtime rates if the supervisor "suffers or permits" (has knowledge that work is being performed, or accepts the product of such work) the work to be performed. Considering that employees on flexitime schedules may be working at times without supervision, supervisors must caution them against working unapproved overtime.

e. Flexitime tours of duty will be established within the following guidelines:

(1) A flexitime tour of duty normally will not be established to begin prior to 0630, nor to end after 1730. Exceptions may be made with approval of officials authorized to approve tours of duty, but only after thorough examination of all aspects of the situations, to include the effects on the work unit possible unsupervised work, necessity for keeping an area heated or lighted, and physical security of the employee(s).

(2) Meal breaks must be scheduled to begin no earlier than 3 hours nor later than 5 hours after the starting time of the tour. Only 30-minute or 1-hour meal breaks may be scheduled.

(3) Work days must be scheduled for no longer than 8 hours, since rules for payment of overtime remain applicable.

SPECIAL CONSIDERATIONS IN ESTABLISHING WORK SCHEDULES

Tours of Duty for Minors

(1) Where regulations permit the employment of minors (not yet 18 years of age), the following standards will be observed:

(a) In no case will employment be permitted between 2200 and 0600. Adequate provision will be made for the safety and welfare of minors working night shifts.

(b) Tours of duty for minors will be limited to 8 hours each day, and 48 hours each week, covering not more than 6 days of the administrative workweek.

(2) Employees of high school age. Where minors are attending school, the following additional requirements are to be observed. These requirements represent the minimum standards to be observed, and in no case will they be lowered or otherwise relaxed.

(a) The maximum weekly tour of duty will be 28 hours, limited to 4 hours each day on school days, and 8 hours on Saturday.

(b) The combined hours of school sessions and work will not exceed 9 hours each day.

(c) Where transportation facilities are such as to require unusually long periods in traveling to and from work, the daily tour of duty will be reduced accordingly.

b. Variations for Educational Purposes. The designated approving official may authorize a change in the regular tour of duty to allow employees to take courses in nearby colleges, universities, or other educational institutions when the special tour does not appreciably interfere with the accomplishment of the work to be performed. Since the courses are for personal benefit, the employee is still responsible for a full 40-hour workweek, and no premium pay will be paid solely because of the rescheduling. While the courses need not be directly related to the duties of the employee's position, they should be such that they will equip the employee for more effective performance.

c. Religious Holidays. Where operational requirements permit, work schedules should be rearranged to accommodate employee absence on religious holidays.

d. Time Spent on Standby Duty or In An On-Call Status. When the nature of operations is such that it may become necessary at any time to call back employees to deal with emergencies or administrative requirements which may occur outside normal work hours, employees may be designated to be available for such a call during weekends or other off-duty time. Designation of employees for this purpose is subject to the following conditions:

(1) There should be a definite possibility that a requirement will arise for the services of the designated employee(s).

(2) On-call duties required of the employee will be brought to the attention of all employees concerned.

(3) If more than one employee could be utilized for on-call services, designations should be made on a rotating basis.

(4) An employee will be considered on duty and time spent on standby duty will be considered hours of work if:

(a) The employee is restricted to his/her place of duty, or so close thereto that the employee cannot use the time effectively for his/her own purposes.

(b) The employee, although not restricted to duty station, is restricted to his/her living quarters or a designated post of duty; has his/her activities substantially limited; and is required to remain in a state of readiness to perform work.

(5) An employee will be considered off duty and time spent in an on-call status will not be considered hours of work if:

(a) The employee is allowed to leave a telephone number or to carry an electronic device for the purpose of being contacted, even though the employee is required to remain within a reasonable call-back radius; or

(b) The employee is allowed to make arrangements such that any work which may arise during the on-call period will be performed by another person.

(6) In the event of an actual call-back to duty, the employee is entitled to a minimum of 2 hours overtime compensation. Where a return to duty is not required and services are provided by telephone, overtime pay or compensatory time as appropriate will be granted, unless the total time spent is less than 15 minutes.

e. Overtime Hours.

(1) Supervisors may require employees to work overtime, i.e., hours beyond the regularly-scheduled basic workweek. Such overtime must be approved by the appropriate official in accordance with USAFACFS Regulation 37-105. Overtime services will be used only for unusual emergencies involving preservation of health, welfare, and safety of personnel, protection of Government property, temporary peak work loads, seasonal requirements when overtime is more economical than hiring additional staff, or unique operating requirements when overtime is more economical than demurrage or other charges. When overtime is so utilized, on an irregular or regularly-scheduled basis, it will be restricted to the minimum required by the emergency.

(2) Regularly-scheduled overtime (overtime which is recurring and made a part of the employee's tour of duty) will be used only if the following principles are observed:

(a) Except under extraordinary circumstances, a tour of duty which includes regularly-scheduled overtime will not extend beyond 48 hours in an administrative workweek.

(b) Before approving a regular overtime schedule, management will attempt to obtain the necessary services through reassignment, detail of personnel, or through recruitment of additional personnel within prescribed personnel authorizations.

(c) Regularly-scheduled overtime will be approved for the shortest possible period, and renewed as necessity may require.

(d) The overtime hours should be scheduled on Saturday, if possible.

REST PERIODS.

a. It is installation policy to grant rest periods not to exceed 15 minutes during each 4 hours of continuous work consistent with the following criteria:

(1) Protection of employees' health by relief from hazardous work, or that which requires continual and/or considerable physical exertion.

(2) Reduction of accident rate by removal of fatigue potential

(3) Working in confined spaces or in areas where normal personal activities are restricted.

(4) Increase in, or maintenance of, high-quality and/or quantity production traceable to the rest period.

b. Rest periods granted in accordance with these provisions are considered duty time, and included in the daily tour of duty. Rest periods other than those provided herein may not be considered a part of the daily tour of duty. Such periods must be charged to the appropriate type of leave.

(1) The rest period may not exceed 15 minutes during each 4 hours of continuous work.

(2) If the period from the beginning of the daily tour to the luncheon period is less than 4 hours, a rest period should be granted only in unusual circumstances.

(3) The rest period may not be a continuation of the lunch period.

(4) A rest period may not be granted where none of the criteria stated in a. above are applicable.

7. LUNCH PERIODS. Lunch periods, during which the employee is entirely free of duty in connection with his/her job, may not be considered duty time, and must be scheduled outside the hours established for the daily tours of duty. However, where three 8-hour shifts are in operation, and an overlapping of shifts to permit time off for lunch is not possible, a lunch period of 20 minutes or less may be counted as time worked for which compensation is allowed. Where an on-the-job lunch period is in effect, employees must spend the time in close proximity to their work stations. Where the lunch period is free time, or is longer than 20 minutes, the entire period may not be included in the daily schedule of working hours so that the employees are paid for the lunch period.

8. DAYLIGHT SAVING TIME.

a. Adopting Daylight Saving Time. When daylight saving time goes into effect, employees working shifts during the change are considered on duty for the normal number of hours of that shift, provided

14 Dec 84

USAFACFS Reg 690-5

the hour lost is charged to annual leave (or sick leave, if applicable). If no charge is made to leave, pay may be allowed only for the actual number of hours worked.

b. Return to Standard Time. When a change to standard time goes into effect, the employees working shifts during the change will be credited and pay allowed for the actual number of hours worked.

9. INCIDENTAL DUTIES. Incidental duties directly connected with the performance of a given job are considered assigned duties, and time spent in their performance is to be included in the daily schedule of working hours. This includes time spent in travel which is an inherent part of, and inseparable from, the work itself. However, travel from home or lodging place to work is not considered as worktime. Examples of situations involving incidental duties are as follows:

a. Guards. Where it is necessary for civilian guards to report at a central location to check in, receive instructions, undergo inspection, and then proceed to their respective posts of duty, the daily tour of duty is considered to begin at the time they are required to check in. Similarly, where such personnel are required to check out at a central location, the daily tour will end at that time. Generally, such duties should not require more than one-half hour each day.

b. Maintenance Workers. Time required by maintenance workers to secure working implements in the morning and to return them to the proper place at the end of the day is also included in the established tour of duty.

10. REFERENCES.

- a Title 5, Code of Federal Regulations
- b. Civilian Personnel Regulation 990-2.

(ATZR-XM)

FOR THE COMMANDER:



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